

Public Law 101-156
101st Congress

An Act

Nov. 16, 1989
[S. 1827]

To revise and clarify the authority of the Administrator of General Services relating to the acquisition and management of certain property in the city of New York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds that—

(1) there is a dire and immediate need for increased space for the criminal justice system and for Federal agencies to operate in the City of New York;

(2) the action of condemnation of certain lands would speed the process of providing additional space for such needs;

(3) condemnation procedures authorized in this Act are required to address a specific dire and immediate need, and should not be precedents for action by the Congress or other Federal agencies;

(4) community input is essential to the successful completion of construction projects such as those authorized in the Independent Agencies Appropriations Act, 1988;

(5) before and during construction of buildings referred to in the first sentence of section 8(a) of the Independent Agencies Appropriations Act, 1988, the Administrator of General Services should consult on an ongoing basis with the community board for such building to solicit its input;

(6) environmental reviews are essential to the successful completion of construction projects such as those authorized in the Independent Agencies Appropriations Act, 1988; and

(7) in the construction of buildings referred to in the first sentence of section 8(a) of the Independent Agencies Appropriations Act, 1988, all federally mandated environmental reviews, as required by environmental laws, should be conducted and closely monitored.

SEC. 2. CONDEMNATION AND LEASE AUTHORITY.

The Independent Agencies Appropriations Act, 1988 (as contained in title IV of Public Law 100-202; 101 Stat. 1329-401), is amended in section 8 of the matter under the heading GENERAL SERVICES ADMINISTRATION—GENERAL PROVISIONS—

(1) by inserting “(a)” after “SEC. 8.”; and

(2) by adding at the end of such section the following new subsections:

“(b) The lease entered into between the Administrator of General Services and the city of New York (hereinafter in this subsection and subsection (c) referred to as the ‘City’) pursuant to the fifth sentence of subsection (a) shall provide for an initial lease period of 30 years and shall provide options for the City to renew the lease for up to three successive lease periods of 30 years each.

“(c) The total rent paid by the City to the General Services Administration for each such renewal period shall not exceed the City’s pro rata share of the cost of the capital replacement, repair, maintenance, and operation of the building in which such office space used by the City is located and any associated parking facility.

“(d) Notwithstanding any other provision of law, the Administrator of General Services may—

“(1) acquire from the City by condemnation under judicial process the real property necessary for the construction of the buildings referred to in the first sentence of subsection (a) and for the additional parking space referred to in such sentence;

“(2) for the purpose of acquiring such real property, establish the value of the just compensation of such real property by agreement with the City;

“(3) provide for the contractor responsible for financing the construction of such buildings, instead of the United States, to—

“(A) pay the City the just compensation payable by the United States for the acquisition of the real property; or

“(B) if all parties otherwise agree, compensate the City in an alternative negotiated agreement.

“(4) take title to the property for the United States after payment of such amount to the City by the contractor;

“(5) reimburse the contractor for the payment of that amount, and pay the contractor reasonable interest on that amount, over a period not to exceed 30 years and make such reimbursement and interest payments out of funds available in the Federal Building Fund for the rental of space; and

“(6) in the case of any real property referred to in clause (1) that is acquired by condemnation, establish rental rates for the lease to the City provided for in the fifth sentence of subsection (a) without applying a credit reflecting the value of the land acquired.”.

Approved November 16, 1989.

LEGISLATIVE HISTORY—S. 1827:

CONGRESSIONAL RECORD, Vol. 135 (1989):

Nov. 1, considered and passed Senate.

Nov. 2, considered and passed House.